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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**IN RE:**

**Aleeshia M. Brown,**

**DEBTOR,**

§ CASE NO.: 20-30655-hdh13  
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§  
§ CHAPTER 13  
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**OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN (DOCKET No. 2)**

Comes now CARVANA, LLC, its successors and assigns, (hereinafter “Secured Creditor”), a secured creditor in the above-entitled and numbered case, and files this Objection to Confirmation of Chapter 13 Plan, and in support thereof represents:

1. The above-styled Debtor filed a voluntary petition under Chapter 13 of Title 11, United States Bankruptcy Code on February 28, 2020.
2. On March 03, 2018, Debtor executed a Contract in favor of Secured Creditor in the original principal amount of \$24,671.92 (“Contract”) and a maturity date of March 02, 2024.
3. The debt described by the Contract is secured by the 2014 INFINITI Q50 2WD bearing the VIN: JN1BV7APXEM683956 (the “Vehicle”). Furthermore, the Contract indicates that the Vehicle was purchased for personal use.

4. On March 06, 2020, Secured Creditor filed its proof of claim in the bankruptcy identified as claim #2-1 and evidencing a total claim of \$24,428.88 and an interest rate of 20.53%.
5. Debtor's Chapter 13 Plan (hereinafter "Plan") as proposed provides for Secured Creditor's claim to be paid at the amount of \$22,854.00 over a 60 month term at 5.0% with pro-rata payments.
6. Secured Creditor objects to confirmation of the Plan because:
  - a. Secured Creditor objects as the amount of its claim is understated in the plan at only value of \$22,854.00, when at the time of the filing of the bankruptcy, the total claim, as evidenced by Secured Creditor's proof of claim was \$24,428.88. As Secured Creditor's claim arose less than 910 days before the Instant Petition was filed, the claim must be paid as fully secured. Debtor's plan impermissibly schedules the claim at \$22,854.00.

WHEREFORE, PREMISES CONSIDERED, Secured Creditor prays that this Court deny confirmation of the Plan, or in the alternative, Debtor's Plan be amended to provide for Secured Creditor's Claim in full, and grant it such other and further relief at law and in equity as is just.

DATED: May 13, 2020

Respectfully submitted,

GHIDOTTI | BERGER LLP

/s/ Angie Marth  
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Attorney for Secured Creditor



- **OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN (DOCKET No.2)**

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

(Via United States Mail)

<b>Debtor</b> Aleeshia M. Brown 200 Rosewood Ln. Cedear Hill, TX 75104  <b>Debtors' Counsel</b> Derek K Prosser Toronjo & Prosser Law 8150 N. Central Expressway, Suite 975 Dallas, TX 75206	<b>Chapter 13 Trustee</b> Thomas Powers 105 Decker Court, Ste 1150 Irving, TX 75206  <b>U.S. Trustee</b> Office of the U.S. Trustee 1100 Commerce Street, Room 976 Dallas, TX 75202
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xx (By First Class Mail) At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

       Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the Eastern District of California

xx (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 13, 2020 at Santa Ana, California

/s / Ana Palacios  
Ana Palacios